

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2006-093494

09/04/2012

COMM. VERONICA W. BRAME

CLERK OF THE COURT  
L. Hart  
Deputy

IV-D ATLAS NO. 000393010903  
STATE OF ARIZONA, EX REL, DES  
TIA CHRISTINE COOK

PARKER EVAN BORNMANN

AND

ADAM S LOSNEGARD

ADAM S LOSNEGARD  
18700 101ST AVE NE APT 7  
BOTHELL WA 98011  
J VINCENT GONZALEZ

AG-CHILD SUPPORT-EAST VALLEY  
OFFICE  
FAMILY COURT SERVICES-CCC

**IV-D CHILD SUPPORT MODIFICATION HEARING**

Courtroom: 304 SEF

4:25 p.m. This is the time set for Review Hearing arising from the Court of Appeals Mandate filed on November 25, 2011, pursuant to Respondent/Father's *Petition for Modification of Child Custody* filed on April 10, 2009. The Petitioner/Mother, Tia Cook (hereinafter referred to as "Mother"), is present with above-named counsel. The Respondent/Father, Adam Losnegard (hereinafter referred to as "Father"), is present telephonically on his own behalf. The State is represented by Assistant Attorney General, Kathie A. Pearson.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

**LET THE RECORD REFLECT** that the parties met informally with the Attorney General's Office prior to the commencement of today's hearing.

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Counsel for the State advises the Court that pursuant to the Court of Appeals Mandate, there are two narrow issues:

1. Father's income for 2010
2. Mother's daycare expenses for 2010.

Counsel for the State advises the Court of the positions of the parties and the State's positions and recommendations.

Based upon review of the Court of Appeals Mandate,

**THE COURT FINDS** that the only issue is Mother's daycare expenses in 2010.

**THE COURT FURTHER FINDS** that although the parties agree that Father's income is accurately reflected on his W2s, Mother requests that Father's income be attributed at his earning potential.

The parties are advised that absent the filing of a new *Petition to Modify Child Support*, the Court will not litigate the issue of Mother's income or Father's income.

Father testifies that he has no position regarding Mother's daycare expenses for 2010.

Based upon the testimony presented herein,

Mother is given credit in the amount of \$751.25 per month for daycare expenses in 2010.

**IT IS ORDERED** setting Father's child support obligation at \$788.00 per month effective April 1, 2010.

**IT IS FURTHER ORDERED** affirming Father's payment on child support arrears of \$89.16 per month. Father's payment on child support arrears shall not be modified without order of the Court.

**IT IS ORDERED** that Father shall pay to Mother for child support of the minor child/ren of the parties, the sum of \$788.00 per month, plus \$89.16 per month in child support arrears, plus \$5.00 per month Clearinghouse fee, for a total monthly obligation of **\$852.16**, payable through the Support Payment Clearinghouse on the 1st day of each month by Income Withholding Order.

**LET THE RECORD REFLECT** an Income Withholding Order is initiated electronically by the above-named deputy clerk (*Confirmation #381001*).

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Until the Income Withholding Order becomes effective, it is the responsibility of the party obligated to pay support/maintenance to pay the support to the following:

**Support Payment Clearinghouse  
P. O. Box 52107  
Phoenix, Arizona 85072-2107**

Payment should show the case number and/or ATLAS case number, the name of the party paying support, and the name of the party who will receive the payment.

**WARNING:** If payments are made directly to the person who is to receive the support, the payments may be considered a gift and no credit will be given towards the support obligation.

**IT IS FURTHER ORDERED** that at any time the Income Withholding Order is not paying the full amount of the child support obligation, Father shall pay the difference between the court-ordered child support obligation and what is paid through the Income Withholding Order directly to the Support Payment Clearinghouse.

**IT IS FURTHER ORDERED** that any change in the paying party's employment and any change in the residential address of either party **must** be submitted to the Clerk of Court, in writing, within ten (10) days of the change pursuant to A.R.S. §25-322 (C). Failure to notify the Clerk of Court of any change may be considered contempt of Court.

**IT IS FURTHER ORDERED** allocating the federal and state tax exemption as previously ordered. **Father may claim the tax exemption provided that he is current in his child support obligation by December 31<sup>st</sup> of the applicable year.**

Mother has private medical insurance that is accessible to the child and available at a reasonable cost, which shall continue until further order of the Court.

**IT IS FURTHER ORDERED** that all non-covered medical expenses incurred for the health and protection of the minor child(ren) shall be paid by the parties in proportion to their incomes as reflected on the most recent Child Support Guideline Worksheet shall be assigned 50% to Mother and 50% to Father.

The Court's further findings and orders are as contained in the formal written Order signed by the Court on September 4, 2012 and filed (entered) by the Clerk on September 4, 2012.

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FILED: Modification Judgment and Order  
Current Employer Information  
Child Support Guideline Worksheet

**IT IS ORDERED** affirming the **Enforcement Hearing Re: Child Support set for October 23, 2012 at 10:00 a.m. (15 minutes allotted)** before **Comm. Veronica Brame** on Petitioner/Mother's pro per *Petition to enforce Child Support Arrears, Medical Expenses Reimbursement (Expedited Process), and Past Due Judgement With Legal Interest* (sic) filed on May 15, 2012.

There being no objection by Mother,

Father may appear telephonically by initiating a telephone call to this division at **(602) 506-1590** (Arizona time) at the aforesaid time and date.

**(NOTE:** All parties appearing telephonically must be joined in a single conference call and be prepared to hold until transferred into the courtroom. The call should be placed from a telephone in an area with no background noise to ensure the party can hear the proceedings in the courtroom. The call may not be placed from a vehicle.)

**LET THE RECORD REFLECT** that there is nothing in the court recording indicating that Father has been served with Mother's *Petition to enforce Child Support Arrears, Medical Expenses Reimbursement (Expedited Process), and Past Due Judgement With Legal Interest* (sic) filed on May 15, 2012. This matter is set for hearing on October 23, 2012; therefore, pursuant to Rule 40, 41, 42, and 43, Father must be served with Mother's action at least thirty (30) days prior to the hearing in order for the hearing to proceed. If Father was properly served with Mother's action, proof of service must be provided to the Clerk of the Court.

The parties are hereby advised that since the Office of the Attorney General ("State") is a party to this action, the State must be endorsed on all matters pertaining to child support and must also be served with any petitions that involve child support.

**EXHIBITS**

**IT IS ORDERED** that if either party has more than five (5) exhibits to be marked, arrangements shall be made with the Clerk of this Division at least five days prior to hearing to schedule a time to deliver said exhibits to the Clerk.

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1. Counsel and/or the parties shall submit all exhibits to this Division by 5:00 p.m. on September 24, 2012 (30 business days prior to hearing). Exhibits shall not be filed at the Clerk of Court filing counter.

2. The exhibit packet shall contain a title page that states the case number, whether the exhibits are Petitioner's or Respondent's, and the date for the hearing. Failure to clearly indicate which party is presenting the exhibits may result in the exhibits being marked incorrectly or not marked at all.

3. Each exhibit shall be stapled if it contains more than one page. Each exhibit shall be clearly separated from the other exhibits, preferably by placing a colored page in between each exhibit. Do not staple the colored pages to the exhibits. Do not write or type on the colored pages. The clerk will reuse the colored pages if they are left blank. Failure to clearly separate each exhibit may result in the exhibits being marked differently than counsel and/or the parties intended, such as multiple exhibits being marked as one exhibit.

4. The exhibits shall be marked in the order received. For example, if Respondent's exhibits are received first, Respondent's exhibits will be marked first, i.e., Respondent's exhibits 1 through 5, and Petitioner's exhibits will follow Respondent's exhibits in number, i.e., Petitioner's exhibits 6 through 10.

5. Duplicate exhibits shall not be presented.

6. The parties shall provide the adverse party with a separate copy of all exhibits.

Information regarding exhibits for parties not represented by counsel:

The Court does not automatically review exhibits. Each party will need to offer his/her exhibits into evidence during the hearing by stating to the Court that he/she is offering exhibit(s) 1, 2, 3, etc. The party will need to explain the relevance of each exhibit to the Court. Exhibits that are not received into evidence during the hearing will be returned to the party at the conclusion of the hearing without the Court reviewing the exhibit(s).

**IT IS ORDERED** directing the Attorney General to provide an updated arrears calculation/payment history and to provide copies of same to each of the parties and this division prior to the aforesaid hearing.

5:05 p.m. Matter concludes.

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All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

**PLEASE NOTE: IMPORTANT INFORMATION RE: CD/VIDEOTAPE  
FEE CURRENTLY IN EFFECT**

This Courtroom uses an electronic recording system for the record. All CDs and videotapes will be provided by the Court, regardless of when the copies are made. A fee of \$20.00 will apply to all copies requested, either on the day of the hearing or for hearings recorded on an earlier date. Forms to request a recording of a proceeding are available in the Self-Service Centers and in the JAVS and FTR courtrooms.

If a party wants a court reporter to record a proceeding in this Court, a written request must be filed at least seven (7) days before the commencement of the proceedings.

A person requesting a daily copy CD or videotape must complete the appropriate request form and pay the applicable fee at the Self-Service Center. Upon payment of the appropriate fees through the Self-Service Center, a receipt will be issued which shall then be presented to Court staff for preparation of the CD or videotape in the customary manner.

A person wanting a copy of a hearing from a previous occasion must contact Ken Crenshaw at 602-506-7100.